

Filer's Name, Address, Phone, Fax, Email:

DONALD L. SPAFFORD, JR. 6188
Pauahi Tower
1003 Bishop St., Ste. 470
Honolulu, HI 96813
Phone/Fax: (808) 532-6300/532-6309
e-mail: spafford@lava.net



UNITED STATES BANKRUPTCY COURT
DISTRICT OF HAWAII
1132 Bishop Street, Suite 250
Honolulu, Hawaii 96813

hib 3007-1 (12/09)

Debtor: **DARRELL BENNO BAJO**

Case No.: **10-02615**

Joint Debtor:
(if any) **JACQUELINE KAUI MORIMOTO-BAJO**

Chapter: **13**

OBJECTION TO CLAIM; NOTICE OF HEARING
Courtroom – 1132 Bishop Street, Honolulu, Hawaii

Hearing Date: February 17, 2011
Time: 2:00 p.m.

[Note: Fed. R. Bankr. P. 3007(b) provides that an objection to claim may not include a demand for relief of the kind specified in Fed. R. Bankr. P. 7001. Such relief must be sought by filing a complaint to commence an adversary proceeding.]

Response due: February 10, 2011

The party below hereby objects under Fed. R. Bankr. P. 3007 to the claim below as follows.

Objecting Party	Debtors Darrell Benno Bajo and Jacqueline Kauai Morimoto-Bajo				
Claim No.	Claimant Name and Address	Amount (as filed by claimant)			
18	SAINT FRANCIS MEDICAL CENTER FCU 2228 Liliha St., Suite 209 Honolulu, HI 96817-16 52	Secured	General Unsecured	Priority Unsecured	Unclassified
			7,939.41	2,600.00	

The objecting party asserts the claim should be treated as explained below and in the attached memorandum.

☐ Disallowed in entirety ☒ Reclassified ☐ Amount modified ☐ Other

NOTICE IS HEREBY GIVEN that a hearing on this objection has been scheduled for the date and time above.

Your rights may be affected. You should read the objection and any accompanying papers carefully and discuss them with your attorney if you have one in this bankruptcy case or proceeding. (If you do not have an attorney, you may wish to consult one.)

If you do not want the court to sustain the objection, or if you want the court to consider your views, then you or your attorney must file a statement explaining your position **not later than 7 days before the hearing date.** Responses must be filed with the court at: **United States Bankruptcy Court, District of Hawaii, Suite 250, Honolulu, HI 96813**, and sent to the objecting party at the address in the upper left corner of this document.

If you mail your response to the court for filing, you must mail it early enough so the court will **receive** it on or before the deadline stated above.

If you or your attorney do not take these steps, the court may decide that you do not oppose the objection and may cancel the hearing. If the hearing is canceled, the court may reduce, modify, or eliminate your claim if the objecting party promptly files a declaration and request for entry of an order [local form hib_9021-1]. If the objecting party wishes to proceed with a hearing in the absence of a response, the objecting party should file a request for the matter to remain on calendar [local form hib_9013-1c3].

MEMORANDUM IN SUPPORT OF OBJECTION

For the reasons stated below, the claim should be:

☐ Disallowed in its entirety.

☒ Reclassified/modified in the following amount(s):

Amount		
Secured	General Unsecured	Priority Unsecured
	10,539.41	

[Explain the grounds for the objection. Attach additional pages, declarations, or exhibits as necessary.]

Saint Francis Medical Center FCU's claim is entirely a general unsecured claim, but it incorrectly claims it has a priority claim for \$2,600.00.

Dated: January 3, 2011

/s/  Donald L. Spafford, Jr.
Signature Print name if original signature